

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WAYNE DARNELL JOYNER,  
Petitioner,

v.

Case No. 05-80955-34  
Hon: AVERN COHN

UNITED STATES OF AMERICA,  
Respondent.

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**ORDER DENYING AS MOOT MOTION TO PROCEED AS “AMICUS CURIAE”  
AND MOTION FOR DEFAULT JUDGMENT**

This is a criminal case. On August 21, 2008, defendant was sentenced to a custody term of 168 months on his plea of guilty to violations of 21 USC §§841(a)(1), 841(b)(1)(A)(ii)(II) and 846. On August 7, 2009, defendant filed a motion to vacate under 28 U.S.C. § 2255 and a paper styled “Motion to Proceed as ‘Amicus Curiae.’” The Court denied the motion under §2255 and closed the case. See Judgment filed September 25, 2009. Defendant then filed a motion for default judgment. Because this case is closed, defendant’s motion to proceed amicus curiae and motion for default judgment, both of which are virtually unintelligible, are DENIED AS MOOT.

SO ORDERED.

Dated: September 28, 2009

s/ Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to Wayne Darnell Joyner, #40683-039, FCI Lompoc, 3600 Guard Road, Lompoc, CA 93436 and the attorneys of record on this date, September 28, 2009, by electronic and/or ordinary mail.

s/ Julie Owens  
Case Manager, (313) 234-5160